IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 520 OF 1998.

M/s.Maharashtra Gas Co. ... Plaintiff.

Versus.

M/s.M.S.Enterprise & anr. ... Defendants.

Shri P.K.Shetty i/by Shri P.N.Patwadhan for the Plaintiff.

Shri N.C.Parekh i/by M/s.M.Hiralal & Co. for the Defendant No.2.

CORAM : ABHAY S.OKA, J.

DATED : 5th July, 2007.

P.C.:

1. The learned Counsel appearing for the 2nd Defendant states that the said Defendant has expired in the year 2005. The statement is accepted. Hence the suit stands abated as against the 2nd Defendant.

2. The 2nd Defendant is the sole proprietor of the 1st Defendant. Hence the suit does not survive. Thus the suit against the 1st Defendant is accordingly dismissed.

Judge.